

1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 BERIHU H. FKADU,

12 Plaintiff,

13 v.

14 LINDA S. PERSON, et al.,

15 Defendants.  
16

No. 2:15-cv-2094 CMK P

ORDER

17 Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42  
18 U.S.C. § 1983.

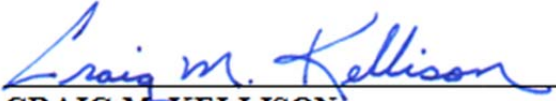
19 The federal venue statute provides that a civil action “may be brought in (1) a judicial  
20 district in which any defendant resides, if all defendants are residents of the State in which the  
21 district is located, (2) a judicial district in which a substantial part of the events or omissions  
22 giving rise to the claim occurred, or a substantial part of property that is the subject of the action  
23 is situated, or (3) if there is no district in which an action may otherwise be brought as provided in  
24 this action, any judicial district in which any defendant is subject to the court’s personal  
25 jurisdiction with respect to such action.” 28 U.S.C. § 1391(b).

26 In this case, the claim arose in San Luis Obispo County, which is in the Central District of  
27 California. Therefore, plaintiff’s claim should have been filed in the United States District Court  
28 for the Central District of California. In the interest of justice, a federal court may transfer a

1 complaint filed in the wrong district to the correct district. See 28 U.S.C. § 1406(a); Starnes v.  
2 McGuire, 512 F.2d 918, 932 (D.C. Cir. 1974).

3 Accordingly, IT IS HEREBY ORDERED that this matter is transferred to the United  
4 States District Court for the Central District of California.

5  
6 Dated: November 2, 2015

  
CRAIG M. KELLISON  
UNITED STATES MAGISTRATE JUDGE

7  
8  
9  
10 /mp  
11 fkad 15cv2094.21  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28